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January 29, 2024

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VIA ECF

Honorable Analisa Torres
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2210
New York, New York 10007-1312

Re: *Doe v. Portnow, et al.*, 24 Civ. 345 (AT)

Dear Judge Torres:

We are attorneys for Defendant Neil Portnow in the above-referenced matter. This action was originally filed in the Supreme Court of the State of New York, New York County, on November 8, 2023. The case was removed to this Court on January 17, 2024. (Dkt. #1). Mr. Portnow was never served in the state court action. Pursuant to an agreement with Plaintiff's counsel, Mr. Portnow has agreed to accept service of the Summons and Complaint effective today, January 29, 2024. Pursuant to Rule I(C) of this Court's Individual Rules of Practice, Mr. Portnow submits this letter motion to respectfully request an extension of time to file his response to the Complaint. Plaintiff's counsel consents to this request.

Under Federal Rule of Civil Procedure 12(a)(1)(A)(i), the deadline for Mr. Portnow to respond to the Complaint is currently set for February 19, 2024. In light of Plaintiff's stated intention to move to remand and the Court's recently issued briefing schedule, Mr. Portnow respectfully requests an extension of time to file his response to the Complaint until seven (7) days following this Court's issuance of a decision on the remand motion. This request is consistent with the Court's January 23, 2024 endorsement of a similar application by Defendant National Academy of Recording Arts & Sciences, Inc. (Dkt. #11).

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This is Mr. Portnow's first request for an extension, and this request does not impact any currently scheduled deadlines.

Respectfully yours,

/s/ Edward M. Spiro

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cc: All counsel (by ECF)